

HOSTETTER'S
CELEBRATED

STOMACH BITTERS
ALL WOMEN

Who wish to retain or regain their health must see to it that functional regularity is established. This is an all-important question and the wise woman will resort to Hostetter's Stomach Bitters at the first symptom of any derangement, because she knows it always gives prompt relief. Pains in the Back, Bloating, Vomiting, Headache, Indigestion, Dyspepsia, Fainting Spells and Sleeplessness are all danger signals which require the Bitters. Try one bottle.

HOSTETTER'S
STOMACH - BITTERS

NEW MODEL
"BROWNIE"
CAMERAS

The very latest "Brownies" just arrived.
Outside they're bound in black seal leather finish and the finder is protected by metal.
Inside has funnel shaped contrivance that excludes any stray light that might otherwise get in through the lens.
No. 2 Brownie costs only \$2.
No. 1 is also of seal leather finish and costs only \$1.
Don't buy old models; new ones are a great improvement.

HONOLULU PHOTO SUPPLY CO.
FORT ST.

HONOLULU IRON WORKS
COMPANY.

Machinery, Black Pipe, Galvanized Pipe, Boiler Tubes, Iron and Steel, Engineers' Supplies.
Office—Nuuanu street.
Works—Kakaako.

SPRATT'S
DOG CAKES

Keep your dog in good healthy condition by feeding Spratt's dog or puppy cakes.

Dogs fed on Spratt's cakes never have distemper and their coats are always soft and glossy. In fact no dog in this climate does well without them.

We get Spratt's cakes fresh by every steamer and they are best and cheapest.

HENRY MAY & CO.
LIMITED.
Retail 22—Telephones—Wholesale 92

"MILLER'S"
Hotel St.
Greatly enlarged to accommodate our many patrons.
OPEN FROM 5 A. M. TO 11 P. M.
"Coffee like your mother makes."

Y. MAN SING
1117 NUUANU STREET.
FASHIONABLE DRESS-MAKER
LADIES' UNDERWEAR.
Dresses made to order. Sewing guaranteed. If the stitches break I will repair without extra charge.

Arrived per S. S. Nevada

A number of fine Milch Cows to be seen at our Kukui Street Stable.

Club Stables
Fort above Hotel St. Phone Main 109.

THE LOSER
KICKS HARD
Bundle of Errors
to Supreme
Court.

The American-Hawaiian
Company Wants
Rehearing.

Rebecca in Debt to Guardian
Magoon—Warren Divorce
Suit.

A petition for rehearing has been filed in the Supreme Court by the American-Hawaiian Engineering & Construction Co., relative to the injunction suit brought against itself, the Superintendent of Public Works and the Auditor by John Lucas, wherein that court affirmed the decree of Judge Robinson making the injunction perpetual. Castle & Withington, attorneys for plaintiff, sign the motion.

The grounds of the motion are as follows:

"First: Manifest errors and mistakes on the face of said decision, which work great injustice to this appellant.

"Second: Manifest error and mistake in said opinion as applied to the facts in the case, which work like injustice to this appellant.

"Third: Questions decisive of the case duly submitted by counsel and overlooked by the court, which work a like injustice.

"Fourth: Controlling decisions to which the attention of the court was not drawn through the neglect or inadvertence of counsel."

Specifications of particular matters under the foregoing heads are given at length. On the holding of the Supreme Court that the plaintiff was not debarred from relief in equity on the principle that "equity will give no relief to a party who does not come into court with clean hands," together with the holding that the plaintiff sued in a representative capacity "as a trustee on behalf of the public," the movant says:

"We specify that it is a manifest error and mistake to hold that a trustee on the part of the public is not guilty of a dishonest practice or some conduct evidently contrary to equity and good conscience," who offers to sell out his duties as a trustee and the interest of the public if the defendant will induce another person, who is already acting as a trustee for the public, to abandon his duties and betray the interest of the public for private gain of the plaintiff."

This refers to the portion of the answer of defendants which was stricken out as scandalous, which accused Lucas of offering to drop the suit if the Superintendent of Public Works would induce Herbert Kendall to withdraw in-

THE WORRIED WOMEN.

They say men must work and women must weep; but alas, in this too busy world women often have to work and weep at the same time. Their holidays are too few and their work heavy and monotonous. It makes them nervous and irritable. The depressed and worried woman loses her appetite and grows thin and feeble. Once in a while she has spells of palpitation and has to lie up for a day or two. If some disease like influenza or malarial fever happens to prevail she is almost certain to have an attack of it, and that often paves the way for chronic troubles of the throat, lungs and other organs; and there is no saying what the end may be. Let the tired and overladen woman rest as much as possible; and, above all, place at her command a bottle of **WAMPOLE'S PREPARATION** a true and sure remedy for the ills and maladies of women. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. Search the world over and you will find nothing to equal it. Taken before meals it improves the nutritive value of ordinary foods by making them easier to assimilate, and has carried hope and good cheer into thousands of homes. It is absolutely reliable and effective in Nervous Dyspepsia, Impaired Nutrition, Low Vitality, Wasting Conditions, Melancholy, Chlorosis, Scrofula, and all troubles of the Throat and Lungs. Dr. E. J. Boyes says: "I have found it a preparation of great merit. In a recent case a patient gained nearly twenty pounds in two months' treatment, in which it was the principal remedial agent." It carries the guarantee of reliability and cannot fail or disappoint you. At chemists.

junction proceedings to enjoin the Lahaina contract awarded to plaintiff's firm.
In regard to laches, which the Supreme Court held was not maintained against the plaintiff, the movant submits that it was manifest error and mistake to hold that the decision of the court below was conclusive when the question of laches was not set up in the answer and was not presented in that court. Further, it is suggested "that the Texas case cited refers to laches of a trustee in not properly investing funds and not to laches of a party to an action, and that the California cases have no force in this jurisdiction, the rule as to the conclusiveness of findings in equity cases being different in the two jurisdictions."

The appellant submits that it is manifest error and mistake to declare that the object of the statutory provision in question is "to prevent favoritism, corruption and extravagance," also "that the action of the Superintendent of Public Works opens the door for favoritism and fraud," and then to declare that "the facts in the case do not warrant the slightest imputation against the Superintendent of Public Works" and that he acted as he did "from a desire to save to the Territory the value of the old piles, if they had any, and to reduce the cost of the work in hand."

The motion contends that the Supreme Court erred in finding that there could be no genuine competition under the advertisement and specifications. Decisions of mainland courts are quoted to show that much more variant bids were held legal elsewhere. It is contended that the deliverance of the court, viz.: "The character of the work and the materials of which it shall be composed must be decided in advance," as a proposition of law, must be modified by the exception, "as nearly accurate as possible." In a Detroit case it was held "that the specifications need not be definite but could be left indefinite where it tended to promote cheapness."

Another point raised is that the Supreme Court decided, on the finding of the court below, that Section 10, Act 18, Laws of 1903 extra session, was the law under which the contract was let, providing: "Every contract for constructing public works, or for furnishing material therefor, amounting to five hundred dollars (\$500) or more, shall be awarded to the lowest bidder who shall furnish a sufficient bond, only upon public advertisement for tenders." This finding is put down as having been without any evidence in the court below as to what act the Superintendent of Public Works was acting under, the appropriation acts showing appropriations not only under Act 18, but Act 13, "which does not require the contract to be let to the lowest bidder."

As to laches again, the movant says that the court's finding that the "defense of laches was not set up in the answers," etc., is not supported by the facts in the case. It is contended that the court erred in striking out the alleged "scandalous" part of the answers, with which the allegations bearing on laches were blended, as thereby defendants could not present properly to the court below their "defense that under all the circumstances the court of equity would not act."

Matters alleged to have been overlooked by the appellate court are these: 1. That the paragraph in regard to old piles could not have been made more definite, and that all the information was equally accessible to all the bidders. 2. That there were no old piles to be used and the reservation falls with the failure of facts to which it could apply. 3. That equity will not interfere unless the taxpayer and those he represents have been damaged. 4. The question that the bidder did bid on the actual work which was to be done. 5. The question that the reservation means only the right to use the piles at what they are worth, thus diminishing the contract price.

REBECCA IN DEBT.

J. Alfred Magoon, guardian of Rebecca Panee Humeke, a spendthrift, has filed an account for the period from February 24, 1903, to June 30, 1904, showing the ward to be in debt to the guardian for \$555.91. There was transferred from the principal to income account, "for maintenance of Rebecca," \$1597.16. Adding to this \$2812.16 received from income account, the total receipts are \$4509.32. Payments on income account, which include an allowance of \$25 a week to the ward, amount to \$3368.07, adding to which the \$1597.16 above-mentioned makes the total disbursements \$5065.23. The difference is Rebecca's debt to her guardian for the period in question. An inventory shows the value of the estate to be \$18,765, from which the annual income is \$848.

TORRENS' TITLE WARRANT.
John Walker has filed a petition with Judge Philip L. Weaver of the Court of Land Registration to have his title registered and confirmed to a lot of land fronting 63 feet on Young street, with a depth of 151 feet, as described in a deed from Charles W. Baker to petitioner.

THE WILCOX ESTATE.
Judge De Bolt yesterday, after a hearing, signed an order confirming the return and account of sales of real estate belonging to the estate of the late W. Luther Wilcox. R. D. Mead represented the executor, W. O. Smith, who was also in court, and J. A. Magoon appeared for Wilhelmina Wilcox, one of the devisees, who was also present. Wilhelmina stated that she was 18 years of age on January 14 this year, and that she was satisfied with the sale. The widow's satisfaction, as well as that of the brothers of decedent, was on file in writing. By the order the executor is authorized to execute deeds of conveyance to the several purchasers for the considerations named in the return.

DIVORCE SUIT.
Laura Elizabeth Warren, nee Lillis, has filed a libel for divorce against Henry Robert Warren on the grounds of desertion and non-support. The libellant asks for custody of the couple's only living child, a girl of six years. Henry Hogan is her attorney.

Big Sugar Cases Tomorrow.

Owing to the unreadiness of attorneys, the Tax Appeal Court had nothing before it yesterday and will have no session today. Tomorrow eight or ten of the big sugar plantation agency cases will be heard in a bunch. Mr. Brown having returned from Hilo it is likely the full court will sit.

SMUGGLING
IS CHARGED

Attorney Dunne Moves
for Condemnation
of Goods.

An opportunity to bid at auction for silk coats, watches and chains, fine cigars, pretty brass thingumbobs, plasters and pills looms up. Uncle Sam being the vendor. "Chong Yock Wing, sometimes called Chong York Wing," is said to have brought the stuff into the Territory. Customs Collector Stackable alleges that Mr. Wing had it all concealed in his baggage without declaring it as dutiable merchandise, and that is where Uncle Sam took an interest in the business.

Assistant District Attorney J. J. Dunne laid the information before Judge Dole yesterday in open court, with a motion for condemnation of the gay and festive truck. Chong What-everelse Wing came from Hongkong as a first-class cabin passenger in the steamer China, arriving here on July 13, with the Pandora's boxful now claimed by the United States as contraband of peace. Here is the inventory of the goods alleged to have been buried in the baggage:

Thirty-three silk coats, 20 pieces of silk coats, 24 watches, 2 dozen watch chains, 3 bronze sets, 600 La Insular cigars, 150 Petite Bouquet cigars, 3 brass sets, 6 boxes pills, 32 plasters, 250 plasters, 14 bottles medicine, 1 silk coat.

IMPORTANT POINT
IN BANKRUPTCY

Judge S. B. Dole, in the United States District Court yesterday, gave much time to further hearing of the L. Hee bankruptcy case. W. W. Thayer for the assignee pressed a motion for dismissal of petition, being opposed by C. F. Clemons for the petitioning creditors.

"Why should the court make an adjudication," Mr. Thayer finally asked, "when the petitioning creditors are not going to get anything out of it?"

"An important point for the court," Judge Dole replied, "is whether it is in the court's discretion to refuse adjudication if the petitioning creditors think that they have a better chance to get something under the bankruptcy laws than they have under an assignment."

This query was followed by a request to counsel for lists of their authorities, without going into elaborate briefs, to be presented by the end of the week. The alleged bankrupt left the country without leaving much else to his creditors.

MARKET IN FULL
BLAST SATURDAY

Clerk C. M. White stated yesterday that the Public Market would be in full blast again on Saturday next.

There will be new occupants in the stalls. The chief thing is that the sea catch of fish will be delivered in the old establishment. It is expected that this fact will bring many of the former stall-holders back, not only to get salt water fish for their places in the private markets but to open out anew at the base of supply.

BOTTLED SUNSHINE

Scott's Emulsion brings sunshine to the entire system of the consumptive.

All life is sunshine. The sun pouring its rays into the plant combines earth, water and air into new plant tissue Sunshine stored up in the plant is its life.

The animal changes plant tissue into animal tissue changes the stored up sunshine of plant life into animal life.

Fat contains more stored up sunshine than any other form of animal tissue. This is why Scott's Emulsion of pure cod liver oil is literally bottled sunshine, full of rich nourishment and new life to the consumptive.

We'll send you a sample free upon request
SCOTT & BOWNE 400 Pearl Street New York

HICK'S HAIR RESTORER AND FRECKLE CURE. Not a Dye but a Restorer. Not a Cream, but a FRECKLE, TAN and PIMPLE CURE. If not, money refunded by Miss Wynn, Hair Dressing Parlors, Richards street.


Announcement
of Auctions

THIS DAY
Auction Sale

STAIR CARPET, CARPET RUGS, WILTONS, GRASS WEAVE RUGS, FURNITURE, BOOKCASES.

THIS DAY

THURSDAY, AUG. 11, 1904.

AT 10 O'CLOCK A. M.

I will sell at my salesroom, 847 Kaahumanu street, to close a late shipment.

Carpets in piece and roll, Wilton Rugs, Furniture, Etc., Etc.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale
OF
Red Bricks,
Red Bricks

SATURDAY, AUG. 13, 1904.

AT 10 O'CLOCK A. M.

I will sell at the old Brickyards, Nuuanu Avenue, on the above date, about 6000 Red Building Bricks.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale
OF
Books Books Books

SATURDAY, AUG. 13, 1904.

AT 11 O'CLOCK A. M.

I will sell at my salesroom, 847 Kaahumanu street, lot of choice volumes, comprising:

16 vols. American Encyclopedia, 23 vols. Waverley Novels, 12 vols. Dickens' Works, 4 vols. Eclectic, Other Books by various authors.

JAS. F. MORGAN,
AUCTIONEER.

Auction Sale
OF
Horse, Dump Cart

SATURDAY, AUG. 13, 1904.

AT 12 O'CLOCK NOON.

I will sell at my salesroom, 847 Kaahumanu street, on the above date, One Fine Work Horse, suitable for either delivery wagon, surrey or hack; One Dump Cart.

ALSO
Oil Paintings by a local Artist.

JAS. F. MORGAN,
AUCTIONEER.

COMMISSIONER'S SALE

On Saturday, August 13, 1904

At 12 o'clock noon at the front entrance of the Judiciary building, Commissioner J. A. Thompson will sell at auction, land situated below the extension of Queen street, near Union Express stables. The land is large and is suitable for warehouse sites and stables.

The sale of the

Wilcox Property

On Monday, Aug. 22, 1904,

Will interest you.

I have a printed list.

Call for one.

JAS. F. MORGAN,
AUCTIONEER.

Castle & Cooke, Ltd.
HONOLULU.

Commission Merchants
SUGAR FACTORS.

—AGENTS FOR—
The Ewa Plantation Co.
The Waiakua Agricultural Co., Ltd.
The Kohala Sugar Co.
The Waimea Sugar Mill Co.
The Fulton Iron Works, St. Louis.
The Standard Oil Co.
The George F. Blake Steam Pumps.
Weston's Centrifugals.
The New England Mutual Life Insurance Co., of Boston.
The Aetna Fire Insurance Co., of Hartford, Conn.
The Alliance Assurance Co., of London.

M. S. Grinbaum & Co.
LIMITED.

Importers and Commission Merchants

SOLE AGENTS FOR

Little Jack

Smoking Tobacco. 5c. and 10c. Packages.

Agents for
BRITISH AMERICAN ASSURANCE COMPANY, of Toronto, Ontario.
DELAWARE INSURANCE CO., of Philadelphia.

W. W. AHANA & CO.
Limited

Merchant Tailors

Waity Building, King St.
Phone Blue 2741

Opposite Advertiser Office

American and Foreign
Worsteads

EAGLE CLEANING AND DYEING WORKS
Fort Street, opposite Star Block.

LADIES' AND GENTS' CLOTHING
CLEANED AT LOWEST PRICES.
Phone White 2352.

Miss Helen A. Alexander
FLORIST

PALMS, FERNS, CROTONS.
FLORAL PIECES MADE TO ORDER.
Telephone White 1021. Residence, 2263 Nuuanu Ave.

PERFECTION
Home Bakery
Beretania St., near Emma.
All kinds of HOME BAKING made from only the BEST MATERIALS.
Tel. Blue 211.

Roofs Repaired
BY
WM. T. PATY.

Carpentry of all kinds attended to Give us a call.

SMOKE
GENERAL ARTHUR CIGARS
★★
GUNST-EAKIN CIGAR CO.
DISTRIBUTORS.

AH PAT & CO.

103 South King, near Alakea.
MERCHAND TAILORS.
Expert cutter, formerly with J. D. Trelogan. Cleaning and repairing specialties.

Phone Blue 646. P. O. Box 1

Kwong Yuen Hing Co.

36 and 38 N. King Street.
Importers and Dealers in Chinese Silks, Fine Mattings, Teas, Ebony Furniture, Bamboo Stools, Rattan Arm Chairs.
Grass Linens, and color, at very low prices.

HOME MADE CAKES, PIES, BUNS, ROLLS, AND BREAD, HOT MINCE PIES EVERY SATURDAY AT

MILLER'S on Hotel St.

Courteous treatment.
Prompt attention.
Best Quality and lots more at

CONSOLIDATED SODA WATER WORKS
PHONE MAIN 71.

COTTON BROS. & CO.
ENGINEERS AND GENERAL CONTRACTORS.
Plans and Estimates furnished for all classes of Contracting Work.
Boston Block, Honolulu.

ALL KINDS OF
Rubber Goods

Goodyear Rubber Co.
R. H. PEASE, President,
San Francisco, Cal., U. S. A.